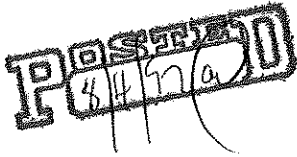
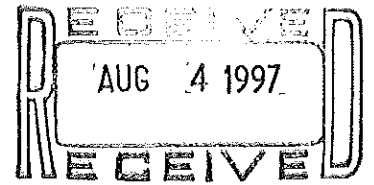


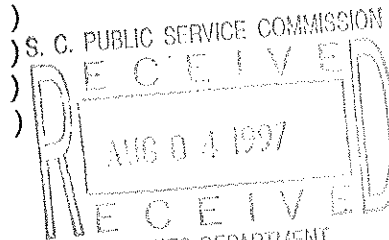
BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO.: 97-153-E



IN RE: Blue Ridge Electric Cooperative, Inc.,)
)
Petitioner,)
)
vs.)
)
Duke Power Company, n/k/a)
Duke Power, a division of)
Duke Energy Corporation,)
)
Respondent.)

**TESTIMONY OF
PHILIP T. LACY**



Q. PLEASE STATE YOUR NAME AND ADDRESS?

A. My name is Philip T. Lacy, and my address is 1709 Hollywood Drive, Columbia, South Carolina 29205.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I have been employed by the University of South Carolina since 1975, as a Professor of Law. I also serve as Associate Dean of Academic Affairs at the University of South Carolina School of Law.

Q. ARE YOU LICENSED TO PRACTICE LAW IN THE STATE OF SOUTH CAROLINA?

A. Yes. I was admitted to practice before all Courts of the State of South Carolina in 1988, and I have practiced law since that date. Additionally, I am admitted to practice before the Courts of the District of Columbia and the State of Virginia.

-1- RETURN DATE:

SERVICE: *OK (fy)*

1 Q. HAVE YOU PREVIOUSLY BEEN QUALIFIED AS AN EXPERT WITNESS AND
2 TESTIFIED AS SUCH IN A SOUTH CAROLINA COURT?

3 A. Yes.

4 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

5 A. The purpose of my testimony is to assist this Commission, as the trier of fact in this
6 matter, to understand the evidence before it.

7 Q. IN THE NORMAL COURSE OF YOUR DUTIES AS A PROFESSOR AT THE
8 UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, DO YOU TEACH LAW
9 STUDENTS HOW TO INTERPRET THE TYPE OF VERBIAGE FOUND IN THE LAWS
10 AND LEGAL STATUTES OF SOUTH CAROLINA?

11 A. Yes. The training of a lawyer routinely includes exercises designed to assist a future
12 lawyer in interpreting legal statutes and laws.

13 Q. BASED ON YOUR EDUCATION AND TRAINING, YOUR 22 YEARS TEACHING
14 EXPERIENCE AT THE LAW SCHOOL, AND YOUR PRACTICE OF LAW IN SOUTH
15 CAROLINA, HAVE YOU DEVELOPED EXPERTISE IN INTERPRETING LAWS AND
16 LEGAL STATUTES?

17 A. Yes.

18 Q. HAVE YOU REVIEWED CODE SECTIONS 58-27-610, et. seq. S.C. CODE ANN.
19 (1976 AS AMENDED)?

20 A. Yes.

21 Q. HAVE YOU REVIEWED THE PLEADINGS, AFFIDAVITS, DOCUMENTS AND
22 EXHIBITS FILED BY BOTH PARTIES TO THIS DOCKET?

1 Therefore, this is a customer's choice case. The evidence before this Commission
2 reflects that the customer has made a written choice to choose Duke as it's electrical
3 service supplier.

4 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

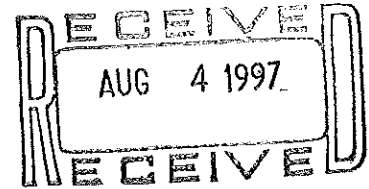
5 **A. Yes.**

BEFORE

THE PUBLIC SERVICE COMMISSION OF S.C. PUBLIC SERVICE COMMISSION

SOUTH CAROLINA

DOCKET NO.: 97-153-E

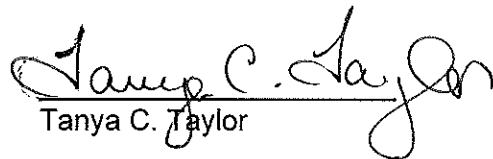


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_____)

CERTIFICATE OF SERVICE

I, the undersigned, an employee of Austin, Lewis & Rogers, P.A., do hereby certify that I have served the foregoing **Testimony of Philip T. Lacy** by causing a copy of the same to be hand delivered to the following individual:

Steven W. Hamm, Esquire
Richardson, Plowden, Howser, Carpenter & Robinson
1600 Marion Street
Columbia, SC 29201


Tanya C. Taylor

Columbia, SC

Dated: August 4, 1997